

THOMAS E. FRANKOVICH (State Bar No. 074414)  
THOMAS E. FRANKOVICH,  
**A PROFESSIONAL LAW CORPORATION**  
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Attorneys for Plaintiff CRAIG YATES

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES, an individual,

Plaintiff,

v.

ORIGINAL BUFFALO WINGS; THE  
UNG CORPORATION, dba ORIGINAL  
BUFFALO WINGS; PATRICIA  
MONTAGUE, an individual; and  
PATRICIA MONTAGUE, as trustee of the  
PATRICIA MONTAGUE FAMILY  
TRUST of 2004,

Defendants.

**CV-10-3582-EMC**

**STIPULATION EXTENDING TIME  
FOR DEFENDANTS TO RESPOND TO  
PLAINTIFF'S COMPLAINT**

Pursuant to Local Rule 6.1(a), Plaintiff CRAIG YATES, and Defendants ORIGINAL WINGS, CORPORATION (erroneously sued as THE UNG CORPORATION, dba ORIGINAL BUFFALO WINGS); PATRICIA MONTAGUE, an individual; and PATRICIA MONTAGUE, as trustee of the PATRICIA MONTAGUE FAMILY TRUST of 2004, by and through their respective counsel, respectfully request and make the following stipulation:

1. Whereas, defendants have been served with the summons and complaint; and
2. Whereas, defendants have retained counsel and requested additional time to respond to plaintiff's complaint; and

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STIPULATION EXTENDING TIME FOR DEFENDANTS TO RESPOND TO PLAINTIFF'S COMPLAINT

CV-10-3582-EMC

1           3.       Whereas, the parties are currently trying to negotiate a settlement in the above-  
2 referenced case, and wish to reduce fees, costs and litigation expenses in so doing; and

3           4.       Whereas, the parties conducted the General Order 56 joint site inspection at  
4 ORIGINAL BUFFALO WINGS, located at/near 2499 Lombard Street, San Francisco, California  
5 on November 11, 2010; and

6           5.       Whereas, the parties believe it would be in the interests of efficiency and economy  
7 to extend the deadline for defendants ORIGINAL WINGS, CORPORATION (erroneously sued  
8 as THE UNG CORPORATION, dba ORIGINAL BUFFALO WINGS); PATRICIA  
9 MONTAGUE, an individual; and PATRICIA MONTAGUE, as trustee of the PATRICIA  
10 MONTAGUE FAMILY TRUST of 2004 to respond to the complaint, and to allow time to  
11 negotiate an agreement; and

12           6.       Whereas, plaintiff has agreed to grant additional time for defendants ORIGINAL  
13 WINGS, CORPORATION (erroneously sued as THE UNG CORPORATION, dba ORIGINAL  
14 BUFFALO WINGS); PATRICIA MONTAGUE, an individual; and PATRICIA MONTAGUE,  
15 as trustee of the PATRICIA MONTAGUE FAMILY TRUST of 2004 to respond to the  
16 complaint; and

17           7.       Whereas, defendants' counsel further stipulate that defendants will comply with  
18 any and all due dates dictated by the Federal Rules of Civil Procedure, the Local Rules of Court,  
19 and/or any scheduling order issued by this court prior to the date on which defendants' responsive  
20 pleading is due.

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**IT IS STIPULATED:**

That the last day for defendants ORIGINAL WINGS, CORPORATION (erroneously sued as THE UNG CORPORATION, dba ORIGINAL BUFFALO WINGS); PATRICIA MONTAGUE, an individual; and PATRICIA MONTAGUE, as trustee of the PATRICIA MONTAGUE FAMILY TRUST of 2004, to answer or otherwise respond to plaintiff's complaint shall be extended up to and including January 4, 2011.

Respectfully submitted,

Dated: November 15, 2010

THOMAS E. FRANKOVICH,  
***A PROFESSIONAL LAW CORPORATION***

By: \_\_\_\_\_/s/\_\_\_\_\_  
Thomas E. Frankovich  
Attorneys for Plaintiff CRAIG YATES, an individual

Dated: November 15, 2010

BRENDA CRUZ-KEITH,  
**LAW OFFICES OF BRENDA CRUZ-KEITH**

By: \_\_\_\_\_/s/\_\_\_\_\_  
Brenda Cruz-Keith  
Attorneys for Defendant ORIGINAL WINGS, CORPORATION (erroneously sued as THE UNG CORPORATION, dba ORIGINAL BUFFALO WINGS)

Dated: \_\_\_\_\_, 2010

JEFFREY HARTSFIELD BELOTE,  
**MORRIS POLICH & PURDY LLP**

By: \_\_\_\_\_  
Jeffrey Hartsfield Belote  
Attorneys for Defendants PATRICIA MONTAGUE, an individual; and PATRICIA MONTAGUE, as trustee of the PATRICIA MONTAGUE FAMILY TRUST of 2004

1 **IT IS STIPULATED:**

2 That the last day for defendants ORIGINAL WINGS, CORPORATION (erroneously sued  
3 as THE UNG CORPORATION, dba ORIGINAL BUFFALO WINGS); PATRICIA  
4 MONTAGUE, an individual; and PATRICIA MONTAGUE, as trustee of the PATRICIA  
5 MONTAGUE FAMILY TRUST of 2004, to answer or otherwise respond to plaintiff's complaint  
6 shall be extended up to and including January 4, 2011.

7 Respectfully submitted,

8 Dated: November 15, 2010

THOMAS E. FRANKOVICH,  
**A PROFESSIONAL LAW CORPORATION**

9  
10 By: \_\_\_\_\_/s/\_\_\_\_\_  
11 Thomas E. Frankovich  
12 Attorneys for Plaintiff CRAIG YATES, an  
individual

13 Dated: \_\_\_\_\_, 2010

BRENDA CRUZ-KEITH,  
**LAW OFFICES OF BRENDA CRUZ-KEITH**

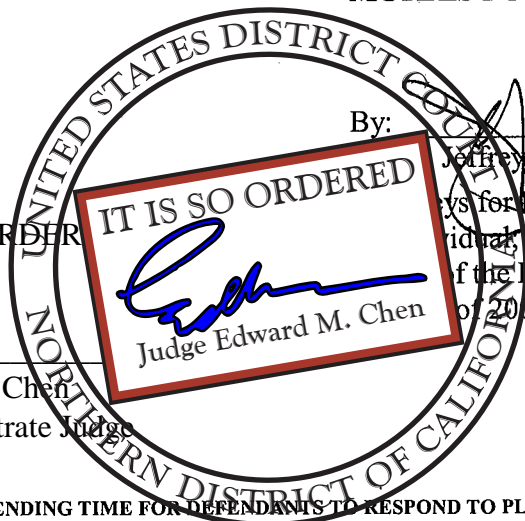
14  
15  
16 By: \_\_\_\_\_  
17 Brenda Cruz-Keith  
18 Attorneys for Defendant ORIGINAL WINGS,  
19 CORPORATION (erroneously sued as THE UNG  
CORPORATION, dba ORIGINAL BUFFALO  
WINGS)

20 Dated: 11/15, 2010

JEFFREY HARTSFIELD BELOTE,  
**MORRIS POLICH & PURDY LLP**

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25 IT IS SO ORDERED

26  
27 Edward M. Chen  
28 U.S. Magistrate Judge



By: \_\_\_\_\_  
Jeffrey Hartsfield Belote  
Attorneys for Defendants PATRICIA MONTAGUE,  
individual, and PATRICIA MONTAGUE, as  
trustee of the PATRICIA MONTAGUE FAMILY  
TRUST of 2004